<center>**DRAFT**</center>

<center>MEETING SUMMARY
Bay Management Steering Committee
June 13, 2005</center>

Attendance:

<u>Steering Committee Members</u>: Evan Richert, Dewitt John, Heather Deese-Riordan, Jim Salisbury, and Paul Anderson.
Not attending: Dave Schmanska, Barbara Vickery, and Kathleen Billings.
<u>Staff</u>: Seth Barker (DMR), Todd Burrowes (SPO), David Etnier (DMR), Deirdre Gilbert (DMR), Christine Grimando (DMR intern), Kathleen Leyden (DMR), Vanessa Levesque (DMR/SPO), and Ben Martens (SPO intern).
<u>Public</u>: Hannah Smith, Mike Ormsby, Steve Timpano, Megan Lim, Jane McCloskey, Roger Fleming, Susan Farady Linda Monroe, Jeff Romano, Clare Grindal, Bob Ramsdell, and Theo Koning.

1. Approval of notes from the January 7th, 2005 and February 25th, 2005 steering committee meetings
        Approved.

2. Brief Overview of the Public Meeting Process
        Kathleen Leyden explained the format that was used for the first series of public meetings held in Wells, Portland, Rockland, Ellsworth, and Eastport.

3. Bay Management Issues of Concern by Region
        Vanessa Levesque and Seth Barker presented the information that was collected through the first round of public meetings.
        Questions from the steering committee included:
    o   When people raised ecological issues, were they specific to embayments, or simply problems in the coastal region? The staff and facilitators tried to frame the discussion in terms of issues on the water, versus land-based concerns.
    o   Did you hear a lot about the same issues? E.g. LNG or aquaculture? In some locations there was more discussion about these topics.
    o   Did you show issues that people raised and described as "coastwide"? Yes, these are also documented.
        Suggestions/comments from the steering committee included:
        It is very important when presenting this information to be clear that it is not an objective analysis of an area. What is shown on the maps is simply reflective of who showed up at the meeting.
        The huge variety of issues that was raised at these meetings is notable. They include aquaculture, user conflicts, land issues connected to bays, etc.

4. Brief Summary of Information on other handouts
        Vanessa reviewed the information on the *Governance Issues* handout.
        Questions/Comments:

- o Using GIS, could the staff identify the number of times a bay is located entirely within the bounds of a single town? This would help define what is meant by "local control". Could it be just a town, or would it require some larger combination of entities – e.g. an issue group or a land trust?
- o Do we know whether certain comments are true, or a perception?
- o Many of the concerns raised were about the government process and not specific to coastal management or bays.
- o Some people raised watershed management as an example of something that is working well. The steering committee questioned where there were examples of actual accomplishments. It was noted that there has been a lot of focused effort on this issue, so people perceive that it is working well.

Models:

Staff is looking at existing models of marine governance/decision-making that might be useful for bay management. A member of the audience suggested looking at the University of Sterling, in Scotland. The steering committee asked anyone who has any ideas about possible models to share them.

5. Discussion Item – Proposed process to be used for ongoing compilation/analysis of issues and development of by management models

Kathleen explained the process the staff intends to follow with regard to the analysis of issues and development of potential management models. The steering committee said that they needed a better understanding of the work that remained ahead of them, and the timeframe that they had to complete it. The final report is due to the Legislature in January 2007. They requested a clear list of "to-dos", matched with a suggested time frame.

Staff and steering committee discussed how best to honor a consultative process with the public while you are simultaneously trying to narrow the list of proposed solutions to be investigated. The steering committee stated that although it sometimes always feels like going backward when you receive feedback, it is important to make some decisions in order to get some review and reaction that will lead to reworking and possibly some momentum toward a solution. It is a matter of constant testing of issues with the general public, and shouldn't paralyze the committee from making decisions.

Suggestion: Map out the process the steering committee needs to follow to accomplish their work.

One way to do this is to identify the questions that need to be answered in the short-term to get the process moving. The steering committee suggested that they needed to put some bounds around what they are doing – with respect to two pieces: the geographical area and the substantive content that they are considering. Given the federal jurisdiction issues, it may not be very productive to work on issues outside of 3 miles – so that is one boundary.

It was noted that there is already a lot of locally based management activities that are in place along the coast, and that this exercise should not try to repeat things that are already in place, but give value to them. It should propose improvements to the governance structure, and use map based information that will bring communities to the table. Currently, a lot of agency activity is driven by permit activity, and a lot of the coming together is around specific projects, and is not coordination around an embayment as a whole, or a unified vision, or how agencies can work together. Such an approach would make it easier for people to work with different levels of government.

Proposed geographic boundaries: three mile limit, with sensitivity of the upland issues that lead into an embayment. Concerns about the upland issues should focus on how they effect the well being of the embayments themselves and recognizing that there are external factors. Area of concern for examining issues should focus on shorelands, intertidal, surface waters, and water column of an embayment, including the benthic environment. Bay management will pay attention to outside factors (including outside 3 mile range) but won't try to spend time influencing those factors.

Lateral lines of embayments: one suggestion was to define them liberally, and recognize that there are embayments inside of other embayments. The steering committee questioned whether they should seek to establish a map with defined bays, or leave the definition of a bay as flexible? Staff suggested leaving the discussion of "what is a bay" to a time when they could bring more resources in terms of maps and information. It was also suggested that an approach could be to allow the issues and the communities and those who want to take part in bay management to self select what their limitations are. Another suggestion was to take the coast, and divide it up where there are major differences in the types of activities. Thought should be given to how decisions are made along coast connected to other political lines (town, county, etc.)

At a future meeting, the steering committee would like to look at maps, and the data that is available to help delineate bays.

6. Brief update on pilot projects
Vanessa provided an update on the activities of the pilot projects. The steering committee requested the legislative language directing the Taunton Bay Area Based Resource Management Plan.

7. Steering Committee discussion
     What is the appropriate scope of issues and concerns to address under the rubric of bay management?
     Which bay management models merit further study?

Possible criteria to define scope of issues and concerns include:

- o degree of conflict between uses

- o degree of existing regulation or management; new use/not existing tools or framework
- o issues that public (local residents) perceives are not being addressed adequately within agencies' public trust obligations
- o issues identified by persons directly involved in management; case by case, varies for each bay; selected from list possible choices
- o opportunity for improvement of environment or resource
- o ability to improve environment, economic conditions, clarity re: regulatory roles
- o perceived disenfranchisement/lack of trust; local capacity to address

It was suggested that in lieu of applying criteria to issues, another approach would be to test how various models would address particular problems and identify the obstacles that would need to be overcome.

Differing opinions were expressed regarding to what extent issues like pollution control or nonpoint source pollution should be addressed by bay management. Some felt it could be, others thought it should be viewed as an external factor, and that bay management could be the coordinating vehicle, and advocate for changes.

Suggestion: Apply the 3 nautical mile and high tide criteria, as well as a filter of "does the problem require a solution that is smaller than the state, but bigger than a town" to develop a list that includes the universe of potential bay management issues

Which models merit further study and analysis?

The steering committee recommended focusing on models that:

- o Demonstrate how to overcome inter-jurisdictional issues and bring multiple towns and others to address problems.
- o Explore county government as tool, or unit for management

The steering committee suggested using case study examples. The staff will follow up with a subcommittee of interested steering committee members to plan the agenda of the next meeting around this approach. The steering committee also suggested it would be helpful if staff from other state agencies attended the meetings.

Meeting adjourned at 2:00 pm.